

prior approval requirements of 49 U.S.C. 10903-04, subject to standard employee protective conditions. The lines are as follows: (1) The Dunmore Secondary Track, between milepost 6.5, at Avoca, and milepost 8.6, at Rocky Glen, a distance of 2.1 miles; (2) the Avoca Industrial Track, between milepost 1.8, at No. 7 Junction, and milepost 6.5 at Avoca, a distance of 4.7 miles, including the connection with the track of Consolidated Rail Corporation between "LB" Junction and the switch of the Dunmore Secondary Track, a distance of 0.123 miles, and the Langcliff Connecting Track, between milepost 0.0, at Duryea, and the connection with Delaware & Hudson Railway Company (D&H) in the middle of York Avenue, at milepost 0.867, a distance of 0.867 miles; (3) the West Pittston Running Track, between milepost 0.0, at West Pittston, and milepost 3.0, at Harding, a distance of 3.0 miles, and between milepost 186.4, at West Pittston, and milepost 194.4, in Kingston, a distance of 0.2 miles; (4) the Suscon Running Track, between milepost 154.5, at Suscon, and milepost 156.6, at Suscon, a distance of 2.1 miles; (5) the Wilkes-Barre Secondary, between milepost 169.2, at Ashley, and milepost 185.5, at Pittston, a distance of 16.3 miles; (6) the Nanticoke Industrial Track, between milepost 0.0, at Ashley, and milepost 2.6, at Central Scrap, a distance of 2.6 miles; (7) the Harry E. Breaker Spur, between milepost 0.1, at Maltby Junction, and milepost 0.5, a distance of 0.4 miles; (8) the APC line, between milepost 0.0 and milepost 0.6 in Wilkes-Barre, a distance of 0.6 miles; (9) the Brownsville Industrial Track, between milepost 0.0, at Hillside, and milepost 1.0, at Brownsville, a distance of 1.0 miles; (10) the Wilkes-Barre Industrial Track, between milepost 59.9, at Ferry Street, and milepost 62.9, at Wilkes-Barre, a distance of 3.0 miles; (11) the Pettibone Branch, between milepost 0.0 and milepost 0.759, at Dorranceton, a distance of 0.759 miles; (12) the Kingston Industrial Track, between milepost 142.7, at Pittston Junction, and Railroad Station 8594+58, a distance of 8.1 miles; (13) the D&H Wilkes-Barre Connector, from milepost A-208.08, Hudson Yard to Conyngham Avenue, City of Wilkes-Barre, a distance of about 2.5 miles; (14) the Hanover Industrial Track, between milepost 0.0, at Ashley, and milepost 0.5, at Hanover Industrial Park, a distance of 0.5 miles; and (15) the Suscon Industrial Track, between

milepost 154.5, at Suscon, and milepost 158.7 at Hillside, a distance of 4.2 miles.

**DATES:** This exemption will be effective on March 8, 1996 unless stayed and provided no formal expression of intent to file an offer of financial assistance has been received. Formal expressions of intent to file an offer<sup>2</sup> of financial assistance under 49 CFR 1152.27(c)(2) must be filed by February 19, 1996, petitions for stay must be filed by February 22, 1996, and petitions to reopen must be filed by March 4, 1996.

**ADDRESSES:** Send pleadings referring to Docket No. AB-432X to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Petitioner's representative: Kevin M. Sheys, Oppenheimer Wolff & Donnelly, 1020 Nineteenth Street, N.W., Suite 400, Washington, D.C. 20036.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 927-5610. [TDD for the hearing impaired: (202) 927-5721.]

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC NEWS & DATA, INC., 1201 Constitution Avenue, N.W., Room 2229, Washington, D.C. 20423. Telephone (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Decided: January 23, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Board Member Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96-2627 Filed 2-6-96; 8:45 am]

**BILLING CODE 4915-00-P**

#### [Docket No. AB-398 (Sub-No. 2X)]

#### **San Joaquin Valley Railroad Company; Abandonment Exemption; Kings County, CA**

**AGENCY:** Surface Transportation Board, DOT.

<sup>2</sup> See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

<sup>1</sup> The ICC Termination Act of 1995, Pub. L. 104-88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that

**ACTION:** Notice of exemption.

**SUMMARY:** The abandonment by San Joaquin Valley Railroad Company of 8.25 miles of rail line extending between milepost 263.44 at Rossi and the end of the line at milepost 271.69 at Stratford, in Kings County, CA, is exempted from the prior approval requirements of 49 U.S.C. 10903-04, subject to environmental and standard employee protective conditions.

**DATES:** Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on March 8, 1996. Formal expressions of intent to file an offer<sup>2</sup> of financial assistance under 49 CFR 1152.27(c)(2) must be filed by February 19, 1996; petitions to stay must be filed by February 19, 1996; and petitions to reopen must be filed by February 27, 1996.

**ADDRESSES:** Send pleadings referring to Docket No. AB-398 (Sub-No. 2X) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423, and (2) Fritz R. Kahn, Suite 750 West, 1100 New York Avenue, N.W., Washington, DC 20005-3934.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 927-5610. [TDD for the hearing impaired: (202) 927-5721.]

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC NEWS & DATA, INC., 1201 Constitution Avenue, N.W., Room 2229, Washington, DC 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Decided: January 11, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Board Member Owen.

Vernon A. Williams,

Secretary.

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**BILLING CODE 4915-00-P**

legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.

<sup>2</sup> See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).